

Manual:	RVEEH Policy and Procedure	Policy No.:	LM 1.5
Section:	Leadership and Management	Previous Issue Date:	May 2002
Sub Section:	Governance	Issue Date:	Sept 2004
Subject:	PRIVACY	Revision No.:	2
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PURPOSE AND SCOPE

The Royal Victorian Eye and Ear Hospital is committed to protecting the privacy of all individuals. The hospital is required by law to protect the personal and health information contained in the medical and personnel records it holds. It complies with all Victorian legislation relating to confidentiality and privacy, including where relevant, the *Health Services Act 1988* (Vic) and the *Health Records Act 2001* (Vic), and covers the following principles:

1. Information collection
2. Use and disclosure of information
3. Data quality
4. Data security and retention
5. Openness
6. Access to, and correction of information
7. Identifiers
8. Anonymity
9. Transborder data flows
10. Transfer and closure of practice health service provider
11. Sensitive information
12. Making information available to another health service provider

POLICY

- Hospital staff are not permitted to use or disclose information of a personal nature, except to the extent that this is required, authorised or permitted under law. All staff are required to understand their obligations under the laws relating to maintaining privacy.
- Health information is to be collected only when it is required for the hospital to perform its functions. Collection of information is to be conducted in a fair, lawful and non intrusive manner. Wherever practicable, information will be collected directly from a patient rather than from third parties.
- New patients, and patients who have not previously been issued with an Information Privacy Brochure are encouraged to read this publication, which explains why health information is being collected, and to whom it is usually disclosed. It also advises of the persons to contact should there be any concerns in relation to the use or disclosure of patient information. These brochures are widely available throughout the hospital.
- Generally, information is collected for the purpose of providing care and treatment to our patients, and for purposes directly related to providing such care and treatment. Patient information may be disclosed to other health care providers for the purpose of providing further treatment. It may also be used for other purposes, which are permitted under the privacy laws. The hospital

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may use or disclose health information to a court of law in compliance with a summons or court order, or where there is a serious and imminent threat to an individual's life, health, safety or welfare; or where there is a serious threat to public health, safety or welfare. No health information is disclosed to a third party, except for lawful purposes, without your consent.

- The hospital aims to ensure that the patient information held is accurate, complete and up to date. Under the *Public Records Act* the hospital is required to hold some records for extended periods. In the past, old records have been destroyed in accordance with the law; however old records are currently retained on microfilm.
- Access to the hospital's record keeping and computer systems is controlled and monitored. Staff and authorised external users only have access to systems that their duties require. Computer systems uniquely identify individual users to ensure that access is appropriately authorised. Paper records are securely stored and may be accessed only by authorised personnel.
- Any individual or organization, such as an outside service contractor, who is seeking access to health information held by this hospital is required to sign a Confidentiality Agreement, which dictates that the recipient will only use and disclose health information in a lawful manner. No such agreement is required where a patient gives their authorisation to release their health information to a specific individual or organisation.
- Patients may apply for access to their health information under the *Freedom of Information Act 1982*. Applications are made through Medical Administration. Where a patient believes information the hospital holds about them is inaccurate they may request that it be amended.
- Where patient information is transferred to organizations outside Victoria at a patient's request, or where this is required by law, the hospital will ensure that the recipient organization is subject to binding privacy obligations which are substantially similar to the ones under which this hospital operates.
- The hospital will ensure that any suspected infringements of privacy are thoroughly investigated, and should a breach of privacy be proven, appropriate disciplinary action would be taken.
- For information about this policy the Privacy Officer may be contacted by writing to Medical Administration, The Royal Victorian Eye and Ear Hospital, Locked Bag 8, East Melbourne, 3002.
- For complaints about an issue of privacy in relation to patient care contact the RVEEH **Patient Representative**.

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FURTHER INFORMATION: Chief Executive Officer
Patient Representative
Privacy Officer